

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

) Magistrate Docket No. *07 MJ 2803*) *CLERK U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA*) *AN 11:31*

Plaintiff

) COMPLAINT FOR

v.

) VIOLATION OF:

Maria RIVAS ALVAREZ

) TITLE 18 U.S.C. § 1544 DEPUTY

AKA: Rosa A. PAREDES

) Misuse of Passport (2 Counts)

AKA: Jan Christine MAAS

)

)

)

The undersigned complainant, being duly sworn, states:

Count 1

On or about December 2, 2007, within the Southern District of California, defendant Maria RIVAS ALVAREZ did knowingly and willfully use a passport issued or designed for the use of another, with the intent to gain admission into the United States in the following manner, to wit: Defendant applied for entry to the United States by presenting US passport number 037651312, issued to Jan Christine MAAS, to the Department of Homeland Security, Customs and Border Protection Officer, knowing full well that she was not Jan Christine MAAS, that the passport was not issued or designed for her use, and that she is not a United States citizen entitled to a U.S. Passport.

Count 2

On or about December 3, 2007, within the Southern District of California, defendant Maria RIVAS ALVAREZ did knowingly and willfully use a passport issued or designed for the use of another, with the intent to gain admission into the United States in the following manner, to wit: Defendant applied for entry to the United States by presenting US passport number 428628013, issued to Rosa A. PAREDES, to the Department of Homeland Security, Customs and Border Protection Officer, knowing full well that she was not Rosa A. PAREDES, that the passport was not issued or designed for her use, and that she is not a United States citizen entitled to a U.S. Passport.

All in violation of Title 18, United States Code, Section 1544.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

Richard M. Escott
Senior Special Agent
U.S. Department of State
Diplomatic Security Service

SWORN AND SUBSCRIBED TO before me

This 10th day of December, 2007.

UNITED STATES MAGISTRATE JUDGE

CONTINUATION OF COMPLAINT RE:

**Maria RIVAS ALVAREZ
AKA: Rosa A. PAREDES
AKA: Jan Christine MAAS**

PROBABLE CAUSE STATEMENT & STATEMENT OF FACTS

I, Richard Michael Escott, being duly sworn, declare under penalty of perjury that the following statement is true and correct:

1. I am a Special Agent (SA) with the U.S. Department of State, Diplomatic Security Service (DSS), currently assigned to the San Diego, CA Resident Office. I have been so employed for eight years and have investigated numerous violations involving the false application for and misuse of United States Passports and Visas.
2. During the performance of my duties, I have obtained evidence that Maria RIVAS ALVAREZ, aka Rosa A. PAREDES, aka Jan Christine MAAS used the passport issued for the use of another on two occasions. This Affidavit is made in support of a complaint against Maria RIVAS ALVAREZ for violation of Title 18, U.S.C., Section 1544, Misuse of a passport.
3. On 12/03/2007, Maria RIVAS ALVAREZ presented herself to a Department of Homeland Security, Customs and Border Protection (CBP) Officer at the pedestrian lines at the San Ysidro Port of Entry to apply for admission to the United States. RIVAS ALVAREZ identified herself with US Passport number 428628013, bearing the name Rosa A. PAREDES, DPOB 11/23/1961, Mexico, and a photograph that did not bear her likeness. The CBP Officer conducted a record check and determined that there was a US Department of State lookout for that passport as lost/stolen. RIVAS ALVAREZ was referred for secondary inspection.
4. On 12/03/2007, a CBP Officer conducted a secondary inspection of RIVAS ALVAREZ. During the interview RIVAS ALVAREZ admitted that the US passport was not hers and that she paid \$250 for the false document. RIVAS ALVAREZ admitted that her true name was Maria Guadalupe RIVAS ALVAREZ, DPOB 04/24/1969, Mexico City, Mexico, and that she was a citizen of Mexico, not a US Citizen. A CBP Officer discovered that among RIVAS ALVAREZ's possessions, was a Mexican voter's registration card bearing her likeness and the name Ma Guadalupe RIVAS ALVAREZ, DOB 04/24/1969.
5. On 12/03/2007, a CBP Officer fingerprinted RIVAS ALVAREZ. Record checks revealed that she had been arrested by CBP the previous day for presenting a false US Passport.
6. On 12/03/2007, at approximately 1530 hours, the Affiant was notified by CBP at the San Yisdro POE of the case.
7. On 12/03/2007, the Affiant received US Passport number 037651312, bearing the name Jan Christine MAAS from CBP who had seized the Passport. CBP records show that the passport was used the previous day by RIVAS ALVAREZ to attempt entry into the US.

8. On 12/03/2007, the Affiant conducted a check of the US Department of State passport database. The Affiant found that US Passport number 428628013 had been reported stolen by Rosa A. PAREDES. At approximately 1623 hours the Affiant attempted to contact the PAREDES, and made contact with her daughter, Ednna MORENO. MORENO stated that the passport had been stolen approximately one month earlier when her mother's car was burglarized in Tijuana, Baja California, Mexico.

9. On 12/03/2007, the Affiant offered RIVAS ALVAREZ the opportunity for audio and video recording (per Department of State Policy), she consented. The Affiant, assisted by CBP officer Alonso Loperena, who also served as translator, obtained an oral and written Miranda waiver from RIVAS ALVAREZ. She admitted that her true name was Maria Guadalupe RIVAS ALVAREZ, DPOB 04/24/1969, Mexico City, Mexico, and that she was a citizen of Mexico and not a US Citizen. RIVAS ALVAREZ admitted to having promised to pay a smuggler \$500 for a false US passport, upon RIVAS ALVAREZ's successful entry into the US. She stated that she met the smuggler on the street in Tijuana and was given US Passport # 428628013, bearing the name Rosa A. PAREDES, then using that passport, knowing that it was not hers, to apply for admission into the United States. RIVAS ALVAREZ further admitted that on 12/01/2007 she purchased another US Passport from a smuggler on the street in Tijuana. She stated that she paid a smuggler \$300 for US Passport #037651312, bearing the name Jan Christine MAAS, then using that passport, knowing that it was not hers, to apply for admission into the United States at the San Yisdro Port of Entry on 12/02/2007. RIVAS ALVAREZ was subsequently voluntarily removed to Mexico on 12/02/2007. RIVAS ALVAREZ admitted knowing that the passports were not issued to her or designed for her use. RIVAS ALVAREZ made a sworn written statement to the facts. RIVAS ALVAREZ stated the she intended to come to the US to find work.

On the basis of the facts presented in this probable cause statement consisting of 2 pages, I find probable cause to believe that the defendant named in this probable cause statement committed the offense on 12/02/2007 and 12/03/2007- in violation of Title18, United States Code, Section 1544: Misuse of a passport - when she knowingly and willfully used the passport belonging to another, Rosa A. PAREDES and Jan Christine MAAS, knowing that they were not issued or designed for her use, in order to gain admission into the United States.



Richard M. Escott
Senior Special Agent
U.S. Department of State
Diplomatic Security Service



UNITED STATES MAGISTRATE JUDGE